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THE SOCIAL LIFE OF THE HEBREWS FROM JOSIAH TO EZRA.

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THE social life of any people is interesting and important. Nothing so truly shows the actual civilization of a nation as the relations of its people one to another in daily life. The ideal community is that whose members are governed by the law, "Thou shalt love thy neighbor as thyself." An investigation of the social structure of any nation soon shows its degree of conformity to that ideal.

People who have written about the social life of the East usually explain past conditions by present; what they see in the East today they assume to have been there always; the stationary character of oriental civilization has become a commonplace. But the subject assigned to me assumes that the unchanging character of eastern life may be pressed further than the facts warrant.

It is undoubtedly true that the conservative spirit is predominant in the Orient. The sons do pretty much as the fathers did generation after generation. But there have been epochs in Hebrew history when new forces proved too strong for the spirit of conservatism, and so new conditions have arisen. The change, for example, that was produced among the Hebrew tribes by the conquest of Canaan was very great. The Hebrews conquered the Canaanite territory, but the Canaanite civilization in turn conquered them. Not, indeed, without a struggle. A nomadic people never changed its flocks for land without vigorous resistance to the overwhelming forces of progress. The story of the Rechabites (Jer., chap. 35) is one of the many testimonies to a people's persistence in the traditions of its fathers.

In the period from Josiah to Ezra the Hebrews passed through the most remarkable experience of their whole career. Contact with the great empires on the Tigris and Euphrates had been had long before; but it was for the most part a hostile contact, and not productive of great influence. The Jews had carried tribute to Assyria and to Babylon ever since the time of Jehu (842 B. C.); but they had not done this for the purpose of studying and using foreign fashions. In the exile, however, conditions were such that it would be little short of miraculous if the social life of the Hebrews had not been greatly affected. The contact in Babylonia was hostile, it is true, but it was nevertheless too close to be successfully resisted. The Jews in Babylonia had a great deal more freedom than is generally supposed. The exile was not a strict bondage.¹ Restrictions as to residence were undoubtedly rigid; but within the provinces assigned, the Jews lived in colonies with opportunities to develop their new life as they saw fit.²

In the days of King Josiah (638–608 B. C.) the Hebrew nation seemed to take a new lease of life. His unhappy death in a hopeless and almost inexplicable conflict with the Egyptians prepared the way for the rapid decline which culminated in the destruction of Jerusalem in 587 B. C. In the time of Ezra, beginning 458 B. C., the Jews were engaged in the hard struggle to reëstablish themselves as a respectable power among the dependencies of the great Persian empire. As they had already been engaged in that attempt for three-quarters of a century, fairly fixed conditions in the life of the people may be assumed.

It is not the purpose of this article to try to establish the thesis that the social life of the Hebrews was greatly changed by the influence of the Babylonian civilization; but to exhibit the data which the Old Testament affords as a basis of judgment. Conclusions will be drawn sparingly, and only with the warrant of sure facts. If the change appears slight, it cannot at once be concluded that the Babylonian influence was *nil*, for the material is rather scanty, and the Jewish writers of the later ages, like

¹ See STADE, *Geschichte*, II, 3 ff.

² See Jer. 29 : 5 ff.

modern travelers, were impressed with the idea that whatever is has always been, and accordingly were wont to ascribe to previous ages conditions prevailing in their own:

Another difficulty which besets the historical study of Jewish institutions is the uncertainty which still prevails regarding the



BEDOUIN TENT

date of some of the sources. The recent tendency to push literature into the post-exilic age must be reckoned with. Uncertain critical assumptions will be avoided as far as possible.

The inquiry will begin at home in the most literal sense, with the domestic relations of the Hebrews of this period. It will be convenient to classify results under certain obvious divisions.

1. *The position of women.*—Speaking generally, the Hebrew woman occupied a position much inferior to that of the man. Her place was in private life, where as the wife and mother, and as the toiler, she must find the sphere of her existence. But at

times we find women occupying positions of great importance. Huldah was a prophetess contemporary with Jeremiah. Though he had attained a position of prominence when the law-book was found in 621 B. C., it was not to him, but to Huldah, that King Josiah sent to know how to avert the wrath with which the new law threatened his kingdom (2 Kings 22:14).

Women were denounced by the prophets because of their pernicious influence in introducing foreign worship³—a fact which speaks for their power. Women as well as men exercised the office of prophet down to the last days of the kingdom (Ezek. 13:17 ff.). In the time of Nehemiah we find that women aided in the rebuilding of the walls,⁴ though they are not found in public positions in this period.

In the simpler life of the earlier days women as well as men had gone to the local sanctuaries to partake of the sacred feasts (1 Sam., chap. 1); in the time of Ezra women were at the assembly at which the laws were promulgated (Neh. 8:3; cf. 10:28); but it appears from Deuteronomy⁵ that only the males were required to go up to Jerusalem for the annual feasts (16:16).

Jewish women usually wore a large number of various kinds of ornaments (Jer. 2:32; cf. Isa. 3:18 ff.). Trumbull has sought an explanation of this in the fact that the married woman preserved her property in the shape of ornaments and coins on her person in order that she might not lose it in case of summary divorce.⁶

The woman was to find her chief glory in married life, particularly as the mother of children. Widowhood was looked upon as a reproach (Isa. 54:4). That the childless wife had a

³ Jer. 7:18; 44:15 ff.; Ezek. 8:14; cf. 2 Kings 23:7; Deut. 17:2.

⁴ It may be, as Bertheau holds, that "daughters" in the passage in question, Neh. 3:12, means *villages*, as often elsewhere; but there is much to be said in favor of Ryle's view that women are meant: see *Camb. Bib., in loc.*

⁵ Deuteronomy is assigned to the age of Josiah; for the reasons see the writer's article on "The Origin and Character of Deuteronomy," *BIBLICAL WORLD*, April, 1898, pp. 246-54.

⁶ *Studies in Oriental Social Life*, p. 322.

hard lot to endure, especially if there were other wives, witnesses the story of Hannah (1 Sam., chap. 1; *cf.* Jer. 18:21; 22:30). Two Psalms of the early post-exilic period express the happiness of the man whose wife bore him many sons (127; 128).



PLOUGHING

The amount of labor required of women varied with their social position. There were certain classes which lived in luxury, to whom manual labor was quite unknown (Deut. 28:56; Isa. 47:1). The finer qualities of a woman's nature are distinctly recognized, though not often dwelt upon. The great prophet of the exile can find nothing fitter than a mother's love to express his conception of God's love for Israel (Isa. 49:15; *cf.* 66:13).

The Israelites had a high conception of the purity of women. The prophets continually compare Israel to the wretched harlot. Israel wanders from Jehovah as the faithless woman from her

husband.⁷ Prenuptial infidelity was punishable by death; but the husband whose charge was refuted by the woman's parents was punishable with chastisement and fine and the loss of the right of divorce (Deut. 22:13 ff.). The death penalty was imposed upon the woman, either married or betrothed, who was taken *in flagranti delicto*, unless the crime was committed under circumstances which presumed helplessness on her part (*ibid.*, vss. 23 ff.; cf. John 8:3 ff.). The daughter of a priest who played the harlot was to be burned with fire, according to a law not earlier than the exile (Lev. 21:9).

2. *Marriage*.—There was no class of men in Israel to whom marriage was forbidden. The Nazirite, the priest, and the Levite were as free as other men to take wives.⁸ Notwithstanding a popular notion to the contrary, monogamy was the general practice.⁹ There was no law against polygamy, perhaps not even a sentiment against it; but for whatever reason plurality of wives was comparatively rare. The kings, indeed, generally had a number of wives, though we find a law against an excessive number even for them (Deut. 17:17). There is a law regulating the right of the firstborn if he were not the son of the favorite wife (Deut. 21:15 ff.). But in many cases we know that even men of wealth had but a single wife. Job is described as possessing all manner of wealth and greatness, but he had but one wife. It does not seem to be true, as often asserted, that the number of a man's wives was measured by his wealth.

It is very likely that Jewish practice changed in this respect. Most of the cases in which plurality of wives is known occur in the earlier period. There is no case known to me in which it is stated of a Jew in the later part of our period that he had more than one wife.

In the pre-exilic period there seems to have been no objection to foreign wives. In many cases we know that Hebrews married

⁷ See Jer. 3:2 f.; 8:20; 5:7 f.; 13:27; Ezek. 16:15 ff.; 23; Zeph. 5:11; Nah. 3:4; Isa. 13:16; 57:3 ff.

⁸ The strong feeling against eunuchs (Deut. 23:1) shows that every man was expected to be the head of a family. This feeling abated somewhat in the later time, when many Hebrews had been slaves in the harems of their masters (Isa. 56:3 ff.).

⁹ See HASTINGS, *Bib. Dict.*, art. "Family;" NOWACK, *Heb. Arch.*, I, 159.

aliens without blame. Deuteronomy provides that a warrior may select a fair captive as a wife (20:14; 21:10).¹⁰ In the post-exilic period there were many such marriages with foreign women, but we find a strong sentiment, and also vigorous action, against it (Ezr., chaps. 9, 10; Neh. 6:18; 10:30; 13:23 ff.; Mal. 2:11). Jewish women were undoubtedly scarce in the new community at Jerusalem. It appears that Ezra's company was made up exclusively of males (8:3 ff.). In spite of the vigorous action of Ezra and Nehemiah, this practice was only broken up after a hard struggle.

A man who had betrothed a wife was exempt from military service (Deut. 20:7); the exemption continued for a year after the marriage; during this time he was free from any kind of public service (Deut. 24:5; *cf.* Luke 14:20).

One of the most persistent institutions in Israel was the Levirate marriage. We find it in the patriarchal age (Gen., chap. 38); it is carefully defined in Deuteronomy 25:5 ff. to be obligatory only in case an older brother left no male issue, and the brothers lived on the same estate; we find it with a wider scope referred to in Ruth 4:5, 10, and on the basis of Deuteronomy also in the New Testament (Matt. 22:24 ff.).

There is little material in our sources to show the relation between the husband and wife. Nehemiah appeals to the people building the wall to fight for their brethren, their sons and daughters, their wives and their houses (4:14). "Malachi" holds up an ideal married life as an appeal to the husband—the wife of a man's youth was his companion, and the wife of his covenant, against whom he should not deal treacherously (2:14); we find the expression "the wife of thy bosom" (Deut. 13:6). But there was not much in the way of the domestic happiness which makes the charm of the modern family circle. The wife often had considerable influence over the husband, but, as we have seen, did not always use it for good purposes.

While there was no repugnance to the marriage of widows

¹⁰ Deuteronomy, indeed, expressly forbids marriage with foreigners, either men or women, 7:3; if this passage is as early as Josiah, it at all events produced no impression before the time of Ezra.

(Jer. 8:10), it is evident from the frequent mention in Deuteronomy and the prophets of the orphan and the widow as objects of charity that it was no unusual thing for a woman to have to bear the reproach of widowhood. Ezekiel's law forbids a priest to marry a widow or a divorced woman, except the widow of a priest (44:22). In the Law of Holiness¹¹ the priest is permitted to marry anyone except a harlot or a divorced woman. The high priest—who is not mentioned in Ezekiel—was allowed to marry only a virgin of his own people (Lev. 21:7, 13 f.). The prohibition of marriage with near blood relations (Lev. 18:6 ff.; 20:10 ff.) was apparently a late development. Tamar saw no objection to marriage with her half-brother, and assumed that David would consent (2 Sam. 13:13).¹²

3. *Divorce*.—The wife was looked upon as the property of the husband. The Hebrew term for husband is *ba'al*, "owner," for the wife *bē'ulah*, "owned." In the Decalogue the wife is mentioned in a catalogue of property which one must not covet. The version in Exodus names the house before the wife (20:17); but Deuteronomy names the wife first (5:31). The greatest horror was felt at infidelity on the part of the wife.¹³ The invasion of property rights probably had something to do with this. It was but natural, therefore, that the husband should have the absolute right of divorce. The wife was either a slave, a captive, or had been purchased, though the purchasing of wives seems to have ceased in the post-exilic period.¹⁴ Freedom of divorce prevailed throughout Jewish history; it is found in New Testament times (Matt. 1:19; 5:31). No special

¹¹ Lev., chaps. 17–26. This law is in a measure separated by its peculiarities from the priest code in which it is embodied. It probably belongs to the period of the exile. On this law see DRIVER, *Introd.*, 47 ff., where other references will be found.

¹² The only forbidden degree in Deuteronomy is marriage with one's stepmother (22:30; cf. Ezek. 22:10, and see WILLIAM ROBERTSON SMITH, *Old Testament in the Jewish Church*, second edition, p. 369).

¹³ W. R. SMITH, *Kinship and Marriage*, p. 117, says that in Arabia the husband was entirely indifferent to his wife's fidelity; this was certainly not the case with the Hebrews. The beautiful picture of the faithful woman in Prov. 31:10 ff. testifies to the Hebrew ideal.

¹⁴ See NOWACK, *Heb. Arch.*, I, 156.

grounds were considered necessary. If a man tired of his wife, he could easily get rid of her and take another. It was the custom of the later times, even before the exile, to give the woman a written decree of separation (Deut. 24 : 1; Isa. 50 : 1); but the husband issued this decree without the intervention of



SENNACHERIB AT THE HEAD OF HIS ARMY *Perrot and Chipiez*
(British Museum)

any outside authority. The wife had no such rights; she had no power to put away her husband (BENZINGER, *Heb. Arch.*, p. 341).

There were a few limitations placed upon the husband's right of divorce. A man could not remarry his divorced wife if she had been the wife of another since her divorce (Deut. 24 : 3 f.; *cf.* Jer. 3 : 1). If a man divorced a wife who had been a captive, and so a slave, he could not hold her in bondage, but must let her go free (Deut. 21 : 14). If he had unjustly charged his wife with prenuptial infidelity, he lost the right of divorce (22 : 19). If a man was detected in criminal association with an unbetrothed virgin, he was obliged to buy her as a wife, and might never put her away (*ibid.*, vs. 29).

In the post-exilic period there is a kind of divorce without

parallel in the earlier history. Ezra and Nehemiah constrained the people, including some priests and other dignitaries, to divorce the foreign wives whom they had taken (Ezr., chaps. 9, 10; Neh. 13:23 ff.). Ezra at first made the attempt to accomplish this in a popular assembly; it was finally effected in a divorce court (Ezr. 10:16). The court was not considered necessary to legalize the divorce, but to make sure that all that had taken foreign wives should put them away. The book of Ruth is a protest against this spirit, and the prophet "Malachi," probably a contemporary of Nehemiah, represents Jehovah as saying, "I hate putting away."¹⁵

4. *Children*.—The Hebrew's appreciation of children is well shown in one of the Pilgrim Psalms:

Lo, children are an heritage of the Lord ;
And the fruit of the womb is his reward.
As arrows in the hand of a mighty man,
So are the children of youth. (127:3 f.)

The cruelty to their children—a common thing in Semitic war—was one of the offenses of Babylon which long rankled in the embittered souls of the exiles (Ps. 137:8 f.). Sons were always esteemed above daughters. The announcement that a man child was born made the father very glad (Jer. 20:15); but there is no evidence of such joy when a girl was born. The son perpetuated the father's house and name. For a man to die without male issue meant the grave misfortune of the extinction of his name. Levirate marriage was an institution designed to prevent this.

The children were esteemed above the wife. The book of Job conceives every misfortune for the patriarch: his property is destroyed; he is smitten with disease; his sons and daughters

¹⁵ 2:16. This passage is indeed obscure. GEORGE ADAM SMITH, *Book of the Twelve Prophets*, II, 344, supposes that the Jews had put away their native wives in order to marry half-heathen women of the land, and that "Malachi" refers to the putting away of these Jewish wives as "dealing treacherously with the wife of one's youth." But the marriages are always of Jewish men with foreign women. We hear nothing of Jewesses marrying foreigners, except in Neh. 13:25—an obvious quotation from Deut. 7:3. It is not unlikely, therefore, that we may give this late prophet credit for a higher ideal of marriage than was possessed by the zealous Ezra, or the Hebrew people before his time.

are slain; but his wife is left to him. The wife was valued chiefly as the mother of children (Ps. 128:3). The peace and prosperity of the Messianic times are marked by "the streets of the city being full of boys and girls playing in the streets thereof" (Zech. 8:4).



TRIBUTE OF JEHU, 842 B. C.
(From the Black Obelisk of Shalmaneser)

The children lived under pretty close restraint. The mother was their chief companion. From a statement in the memoirs of Nehemiah (13:24) it would appear that the fathers then had more to do with their children's daily life than had been the custom formerly. Nehemiah's objection to the foreign marriages was based on the discovery that the children did not speak Hebrew, but a wretched *patois*, "half in the speech of Ashdod."

In the earlier times strict obedience was exacted of the children. "Honor thy father and thy mother" meant more than holding them in reverent esteem. Deuteronomy provides the death penalty for the son who would not obey his parents (21:18 ff.). The sons of David were not permitted to go away from home without the king's permission, even when they were grown men.

Children as well as women might be kept as prizes of war

(Deut. 20 : 14) ; but often they were slain by their cruel captors, or were the victims of unnatural mothers or of helpless fathers (Lam. 4 : 10 ; Jer. 47 : 3).

5. *Slaves*.—There was no restriction of the right of the master over foreign slaves. He was, indeed, enjoined to treat his slaves with consideration ; but this was only a moral obligation. There were many foreign slaves in Israel as a result of war, and of the slave trade which flourished at least as early as Amos. Hebrew slaves were on a different footing. Deuteronomy prescribes that these shall be set free after six years of service, unless they voluntarily elect to remain permanently with their masters. With his liberty the freedman was to be furnished with such supplies as would make it possible for him to make a fresh start in life—the Hebrew becoming a slave as the result of debt (Deut. 15 : 12 ff.). There was, however, no fugitive slave law. If a slave effected his escape, he was not to be given back to his master¹⁶ (Deut. 23 : 15). Precautions were taken against forcing men into bondage illegally, by making that offense punishable by death (Deut. 24 : 7).

The deuteronomic law was more liberal than the earlier regulations, which limited the release to males, and to their wives only if they had been married when they were bought (Ex. 21 : 2 ff.). But the later Law of Holiness aimed virtually to abolish Hebrew slavery. A service for debt is recognized ; but the unfortunates are to be treated as hired servants, not as slaves ; and in the year of Jubilee they are to be freed, their children going out with them (Lev. 25 : 39 ff.).

We know that the law of Deuteronomy was not executed very faithfully. Under the scare of a siege Jeremiah induced the Jews to free their Hebrew slaves ; but as soon as the siege was temporarily raised they forced them back into bondage (Jer., chap. 34). The later law was probably designed to mitigate the evils of slavery as far as practicable, as the deuteronomic code had been found incapable of enforcement.¹⁷

¹⁶ Other nations did not observe such a law ; see 1 Kings 2 : 39 f. It is by no means certain that the Hebrews obeyed this law strictly.

¹⁷ See DRIVER, *Deuteronomy*, in the "Inter. Crit. Com.," p. 185.

The debtor might sell his children into slavery (Isa. 50:1; *cf.* 2 Kings 4:1; Matt. 18:25), and probably would generally do so before accepting that fate for himself. The poor people complained bitterly to Nehemiah that they would be obliged to sell their children as slaves, and, in fact, had already parted with their daughters (Neh. 5:5), the sons being held as long as possible. This transaction, as Ryle has pointed out, is in harmony with the earlier law rather than with the later, which practically forbade the sale of a Hebrew as a slave. Nehemiah took a vigorous stand against the enslaving of poor Hebrews, and his action may have contributed toward checking the evil. There could scarcely be an objection to slavery as such; for it is reported—in a source indeed not too trustworthy—that the first company of returning exiles had brought with them 7,337 slaves, men and women.¹⁸ Nehemiah was aroused by the evil to the new state in the richer classes fattening on the misfortunes of the poor.

The life of a slave is not generally an easy one, and the Hebrew slave experienced the common lot. He was part of his master's household, and in the simpler family life of certain classes may have enjoyed some privileges. But hard service was exacted of him. The master is urged to release the slave in the seventh year, on the ground that "he had served for six years to the double of the hire of a hireling" (Deut 15:18). Conditions may have been better in the earlier days, when some slaves would elect to remain with their masters. But, as the later law makes no provision for this, it is probable that slaves were only too ready to secure their liberty whenever it was possible.

¹⁸ Ezr. 2:65. The people mentioned here are usually called "menservants and maidservants;" but they were probably slaves, though whether Hebrews or foreigners it is not possible to say.